

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

March 15, 2001 LB 213

CLERK: Mr. President, Senator, LB 213. I do have Enrollment and Review amendments. (AM7062, Legislative Journal page 855.)

PRESIDENT MAURSTAD: Senator Erdman.

SENATOR ERDMAN: Mr. President, I move the adoption of the E & R amendments to LB 213.

PRESIDENT MAURSTAD: Question is the adoption of the E & R amendments to LB 213. Those in favor say aye. Those opposed nay. The amendments are adopted.

CLERK: Senator Beutler would move to amend. (AM0800, Legislative Journal page 937.)

PRESIDENT MAURSTAD: Senator Beutler, you're recognized to open on AM0800.

SENATOR BEUTLER: Mr. Lieutenant Governor, members of the Legislature, this is a bill that put into law certain additional provisions relating to civil penalties, primarily with respect to Department of Health and Human Services prerogatives, and the manner in which the additional penalties were inserted into the statute gave the impression that perhaps these could be levied against a person at that point in time when a violation had been only alleged as a point...as opposed to that point in time when a violation had been, in fact, proven and there had been a chance for a hearing and all. We had some discussions with Dick Nelson, the head of the Department of Health and Human Services who worked on this matter, and he agreed that it would be clearer and went so far as to actually change this around so that it was a better position from everybody's point of view and clearly applied only once an opportunity for a hearing and a determination had actually taken place, and that was Senator Jensen's intention all along, as I understand it, and I think we're all on the same page now. So I would ask for you to adopt this amendment and that would clear up this matter. Thank you.

PRESIDENT MAURSTAD: Thank you, Senator Beutler. Senator Jensen, you're recognized on the Beutler amendment.